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RICHARD W. HARRINGTON  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

*[Signature]*

U.S. District Court  
280 South First Street  
San Jose, Ca 95126

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(PR)

Honors Judge:

By way of the following letter I'm addressing respectfully to you to ask if you may allow me a petition to preserve my right to a federal review. This is what the lawyer told me, which took my case some months ago. She took on May 3, 2010. I want to make clear, that I don't know if this is the appropriate level of court to which I have to go. This lawyer sent me a letter on November 26, 2010, in which told me that California ADN Project had concluded that couldn't assist me in my case, because the project only accepts cases where exists strong evidence of innocence and where exists biological material to find ADN. Also told me that they referred my case to Northern California Innocence Project, so that be them which continue the evaluation. This same project took my case same years ago, since 2001 the first time, second 2002, and 2006 the last one. They took and reviewed but never gave me any relief, nevertheless I sent some facts (at that time I haven't the proofs that I have now) in which I exposed basically the most relevant factors to a relief. So, I think They will make the same job at this time, as in past years. By that mean, they will omit again an investigation that is necessary to clear the charges against me. Right here, they must be go to interview them (the people that accused me with out any strong evidence) and investigate the authentic truth to demonstrate that they lied. They didn't pay attention to notify the Federal court about the time in which I had to go. So, nobody didn't pay attention to do this and neither advised me in how I have had to continue the correct steps to go the next court. I gave also my papers to some inmates, but neither they didn't nothing about. When I did this, I have had to investigate who can I trust on and do it with discretion and much care, because this kind of cases are dangerous. The first lawyer who took my case was William Mc Bay, from 1985 to 1986 in the jury trial. Second, James W. Haworth from 1998 to 1999, who managed my state appeal and Gabriel Vivas, from 1999 to 2000. This lawyer did it some investigations that I don't knew exactly what was it. He refused to communicate me what was it doing about in everything.

Note: my case number is: 183873

The Mexican Consulate asked him for information about this but he refused also to inform them. These lawyers neither advised in how I needed to go to the Federal Court. There were also courts, some inmates and agencies, but they don't were interested to help me, the only ones were my sister from Mexico, my sister in law and brother from San Antonio Texas. They sent me pictures, receipts from jobs and for renting and also addresses. These are the New facts my alibi. I went to the Law library, in my days off, to look and find into my limitations (because I don't understand English very well) the principles of law that would help me in my case. I found many principles of criminal law and Constitutional authorities belonging to the United States Constitution that agree or apply to my rights that were violated since my detention on 1995. These principles of criminal, I got basically from Prison Law Office, to which I wrote also for law advice and help, but they denied to help me, the only thing they sent me was a manual with information about how I needed to set up an Habeas Corpus, and also some Constitutional authorities, any way, it's difficult to me to set up everything correctly. Other US Constitutional authorities, I got mainly from Miss Repp, a teacher education in Solano State Prison. She had in her classroom The World Book Encyclopede and from there it's how I got. These great authorities were the Fourth, Fifth, Sixth and Fourteen US Constitution Amendments. I sent two Habeas Corpus to the courts, the first one to The Superior court and second to Sixth District Court of Appeal. The first one in August, 2008 and second in May 2009. I'm seeking only for justice, so fundamentally by these reasons of vital importance, it's for what I asking for your considerations to preserv my right for a Federal review. I putted and I'm putting my best effort to do this, Keeping on mind that was in an honest and truly manners the grounds that I got and that I had been stated in my Habeas Corpus, which ones are the following:

Ground one-New Facts

The Judge that ordered my arrest never showed any probable cause I was arrested on May 18, 1995, in San Antonio Texas. The officers that arrested me that time, arrived surpraisly to the house where I was living, knock down the door, went inside and threat me with brutality, then putted me the handcuffs and took me to the Country jail. There fore they never showed any order of arrest neither of searching. California Criminal law and procedure Probable cause - A magi's trate may issue a warrant of arrest only if he or she is satisfied from evidence presented that the offense complained of has been committed and that there is reasonable cause to believe that the arrested committed it. Pen C §§ 813, 1427; People v sesslim (1968) 68 C 2d 418, 426, 67 CR 409. see also Talia Ferro v Locke (1960) 182 CA 2d 752, 6 CR 813 (Magistrate has discretion to refuse to issue warrant). The Fourth Amendment of the United States Constitution The right of the people to be secure in their persons, houses,

Papers and effects, against unreasonable searches, shall not be violated, and no warrants shall issue, upon probable cause, supported by oath or affirmation.

Ground two - Detective John Rose and the District attorney Javier Alcala, they failed to make me an arraignment, neither were on the crime scene, nor proved me nothing on the time when supposedly I committed the crimes. California Criminal law and procedures IV. Proceedings on arraignments § 6.4 A. Purpose of arraignment. An individual accused of a public offense has the right under the United States Constitution to be informed of the nature and cause of the accusation. US Const Amend VI. See also Cal Const art I, § 14 (Arraignment for felony). Arraignment serves this purpose and it gives the accused a fair opportunity to plead to the charges. In re Mitchell (1961) 56 (2d-667. 16 CR 281. In addition, both Federal and state Constitution grant an accused the right to a speedy trial, US Const amend VI; Cal Const art I, § 15; Pen C § 1382. A prompt arraignment is a component of the right to speedy trial. On the right to speedy trial. See chap 19.

The New World Encyclopedia - Police Activities  
Detectives make investigations. The photography unit takes pictures of the crime scene and examines blood stains, bullets, hair samples, finger prints, weapons, semen and other evidencies. They must to give a description of exact offense, a location and time of the offense, amount taken, injuries sustained or damages resulting from the action and exact identifying information about physical evidence. Detective John Rose and the district attorney Javier Alcala, failed to investigate step by step and ascertained by law these charges against me.

The Sixth Amendment of the United States Constitution  
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district where in the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation.

Ground three

There was incompetence of counsel. For about fourteen months (from August 1995 to October 1996) I was incommunicated without any effective support and advice from my lawyer William Mc Bay, because continuously need to see the doctor and remain in the Hospital for several weeks. When we had courts, he started talking with the judge for a few minutes, but then he was staying a sleep until the court concluded. He couldn't investigate deepest to Loui Natividad, Valerie Contreras, Annete Gonzalez and Velia Natividad, the persons that accused me falsely without any strong evidences. He did numerous affidavits and motions for continuance of trial due to his illness. His deficient performance and illness affected negatively the jury trial and the result was that I lose my freedom and sentenced unfairly to an excessive amount of time.



California Criminal and procedure, 34 Geo. L.J. Ann. rev. Crim. Proc. 472 (2005) Ineffective assistance of Counsel. The Sixth Amendment guarantee the right to effective assistance of Counsel in criminal prosecutions. In Strickland v. Washington, the Supreme Court established a two-prong test to evaluate ineffective assistance claims. <sup>1563</sup> To obtain reversal of a conviction under the Strickland standard, the defendant must prove that counsel's performance fell below an objective standard of reasonableness. <sup>1564</sup> and that counsel's deficient performance prejudiced the defendant, resulting in an unreliable or fundamentally unfair outcome in the proceeding.

Ground Four - There was District attorney misconduct. Through the jury process there were a lot of doubts and inconsistencies that the district attorney couldn't set up with exactitude. They tolerated a lot of lies and insecurities from the accusative Party. Right here the prosecutor was unable or couldn't locate the charges with precision and also tried to convince the twelve members of the jury by pressuring and engaging them: I'm not sure I've convinced all twelve of you. opening argument, page 280. Now in your verdict forms you have to agree unanimously to what the act was, in other words was it a touching? Was it an intercourse? Was it whatever. It could be any one of these, and I don't set it out in the complaint exactly which one it is, you have to agree, though. opening argument, page 295. And the offense can be anywhere within that year on that particular case. Opening argument, page 51.

Ground five - There was Judge Misconduct. Through the jury process there were contradictions and confuses situations where the judge undervalued or don't wanted to fix, specially when the jury were in deliberations and trying to reach a verdict. Right here two members of the jury don't understood or were confused about the judge was talking. One of them asked for a read back and the other one for a chart of time with dates. The response from the judge was: Because the time with chart was not actually introduced into evidence you cannot use it in deliberations. So the judge was talking to be conscientious on the evidence and that every fact must be proved without any doubt, but the doubt existed clearly when the two jurors asked for a read back and for a chart of time with dates. At this point the judge failed to introduce into the evidence, the chart of time with dates, which means the original or real hour, day, month and years not the improvised frames of time, when supposedly the crimes passed. California criminal law and procedure. § 32.3 Trial court must instruct on general principles of law, relevant to case. Instructions given on the court's own motion are called sua sponte instructions. The trial court must instruct the jury on the general principles of law relevant to the issue raised by the evidence that are necessary for the jury's understanding of the case, even in the absence of a request.

Ground six- The witnesses from the accusative party committed perjury. When Loui Natividad, Valerie Contreras, Annete Gonzalez and Velia Natividad, they gave their testimonies to the court, or to the jury trial, indeed they lied, because they knew which ones were the real guilties to whom they had sexual relations. Right here there is a very contradictorie and inconsistent situation about Loui, when the district attorney asked him if have had noticed something after the sodomy. He answered: yes, I did, then the district attorney said him: what was it you complained about? blood in my feces. Who did you mention that to? my sister and brother-in-law. You never told them the way part of it, though? no. They never took to a doctor? no, they did not. You know, I just want--- Redirect examination, Page 100. At this point, Loui was damaged into his intimate parts and was necessary and essential to receive medical attention immediately, he couldn't remain by one self as if nothing was happened, so, his sister Rosy Contreras and his brother-inlaw Joe Contreras, they have had a clear knowledge about the sexual attacks, but preferred to keep silent that call to the police and then took him to a hospital. So, they knew who were the real person who attacked him and like this manner they converted in his accomplices. Also the prosecutor knew all this together and should be called them in front of Loui to questioned them to know who was laying.

Concerning to Valerie Contreras, she don't said in the jury trial that her father was indeed who abused his own daughter in the same year in which I was accused, but the difference was that in fact he was surpraised when committed the sexual abuse against her and I'm not. Her father name was, Joe Contreras. He also abused his cousin, Leah Carabello, Raquel's daughter. Raquel and Rosy are sisters. The following accusation says clearly it was like that: Daughter of Raquel Also Joe Contreras (v father), in 86 was accus by v & Raquel of molestation. I don't have the original accusation because I sent to the lawyer James W. Haworth and never sent me back. So, her lied also on the jury trial. I think that Joe Contreras case, might be there on the San Jose police department to find A.P.N. material to prove that he committed the crimes and not me.

Respect to Annete Gonzalez, she accused me to had sex by the force with her (also Loui and Valerie) but the true was that other men were who had sex with her on the same years that I was accused. she started having sex with other men from 1986 and 87 to 1988 and the result was that she was pregnated and had a baby on this year. I saw the baby with my own eyes, when I visited or lived for a few time with my ex wife Velia Natividad. (Annete and Valerie are grand children from Velia and Loui is Velia's son) At that time my ex wife was taking care of the baby on 1992, she had four years. If we return from 1992 to 1988, we can see that coincide on this year. I tryied to obtain a birth certificate from her daughter to prove that she had sex with other men on the years that I was accused. I wrote to the county clerk Recorder of San Jose, asking for the baby's certificate. Two ladies (Dueñas and Kalamajik) wrote me back

and told me that I needed \$16.00 to find the certificate, then I called to my brother Manuel Natividad who lives in San Antonio and I told him to send the money to this office. They wrote me again and sent me a form in which it asking for information about the fathers names and also about the baby. The time ~~was~~ passed and I don't got any answer from them, then, my brother told me that one of the ladies told him that the baby's certificate existed, but the girl was not a girl, but a boy, therefore the purpose was the same. until now I'm waiting for the baby birth certificate. So this person lied on the jury trial, because knew that other man were whose had sexual relations with her, and like this manner she committed perjury.

Crimes against Public Justice - perjury and subornation Title 7 § 118 a note 10. The making of false statement in a pleading filed in a judicial proceedings is "perjury." People v. Agnew (1974) 17b P. 2d 724, 77 CA. 2d 748 - A reckless statement in a judicial proceeding which is not known to be true is perjury if in truth such averment is false. id. § 118 perjury defined - Every person who, having taken an oath that he will testify, declare, depose, or certify truly before a competent tribunal, officer, or person in any of the cases in which such an oath may be law of the state of California be administered, willfully and contrary to such oath, states as true any material matter which knows to be false and every person who testifies, declares, deposes, or certifies undeclarations, depositions, or certification is permitted by law of the state of California under penalty of perjury and willfully states as true any material which knows to be false, is guilty of perjury. This section is applicable whether the statement or the testimony, declaration, deposition, or certification is made or subscribed within or without the state of California. (Enacted 1872. Amended or without the state of California by Stats. 1945, C. 873, P. 1488, § 2; Stats. 1957, C. 1612, P. 2958, § 2; Stats. 1980, C. 884, P. 2790, § 3.)

Ground Seven - There was insufficiency of evidence There are a big difference between insufficiency of evidence and sufficiency of evidence. In insufficiency of evidence don't exist the concrete and material proofs, which terminate at hundred percent without any doubt when these kind of crimes were committed. So these kind of crimes don't existed in my case, because there were not strong proofs or evidences, proofs like medical examinations from a doctor, so, without of any kind of these proofs, their accusation fall down only in speculations. On sufficiency of evidence, the contrary part, we can watch frequently on tv, newspapers, and radio mainly, a lot of sexual abuses ~~abuses~~ against child's, which ones remain filed on the police departments, statistics and diffusive media. Some times the victims can be died because of loosing blood in their intimate parts or preagnated because the sexual abuse. The following cases prove of what



Im talking about: On January 15, 2004, a sexual assault was committed against a seven years girl. She died in the Watsonville Hospital because of loosing blood in her intimate parts. Her aunt Elena Ramirez was there and who responded to the reporter questions. The police investigated the case and also was on the crime scene. Univision, channel 19, Sacramento, Ca.

On August 20, 2004, a schoolistic driver bus, was accused of sexual assault against three children on Clankville, Tennessee. Univision, channel 19, Sacramento, Ca.

Sexual abuse case, against an eleven years girl. The abuser was a pastor in Hartford Connecticut. She was pregnated and the violator name, Modesto Reyes. channel 19, Sacramento, Ca. 6-24-2006 So, all these facts agree with sufficiency of evidence the contrary part of insufficiency of evidence. On people v. Green, we can also watch that the prosecutor called for expert witnesses to confirm the fact of intercourse by a medical evidence; defendant relies however on evidence to the effect that after thus forcing Karen to disrobe, he had sexual relations with her; not only did, he so state to Khan, but the prosecutions expert witnesses confirmed the fact of intercourse by medical evidence. People v. Green, 27 Cal. 3d 1; 164 Cal. Rptr. 1, 609 P. 2d 468

Ground eight— The court and the accusative party knew about my alibi but preferred to ignored. There are numerous references on the court transcripts that were ignored disparagingly by the court, by the accusative party, by the prosecutor and by my own lawyer William Mc Bay. He argued this point on the jury trial, but any way he couldn't do something out, (like an investigation for example) because his illness. These references are concerning to long periods of absence that not were investigated carefully for nobody. On these long periods of absence, my brothers and I were working in California fields, also, Oregon and Washington States. We were picking vegetables and fruits, including trips to Mexico. Also I use to work in maintenance apartments. I have irrefutable proofs or evidences that prove where I was in the alleged periods when supposedly I committed the crimes. I have some pictures, receipts, addresses and letters from jobs that show the companies names, farmers, contractors, places, dates, kind of jobs and more details, this is my alibi. 1985, I came from Mexico on July, with my brother Gerardo Natividad and Jacobo Marrero a friend. On August and September I was working with Wool Packing, Co. on these months I lived with my ex wife and son. I also lived with them on October because an accident I had. These company was by Senter and Tully rd. On November we went to the pear pruning trees, with the farmer Christopher Cunningham. The place work was in Talmage, close to Ukiah, Ca. The boss was a fat man which name was Eutiquio, "Tiquio". 1986, we finished in the last days of February. On March, we were living in a white trailer by River rd., close to Freeway 101 and Russian river. On April we moved to San Jose and got an apartment by Plumb st., close to DMV and Alma ave. On April and May we started to work

in the irrigations orchards. This orchards were beside Wool pack-  
ing. co., and the owner was Don Wool. There were pear trees over the  
re. On June we picked apricots on this same address, Senter  
and Tully rd. On July and August we picked pears also here.  
I accompanied them on July, then on August I was working in the ca-  
nery. We lived April, May and June in the apartment. In July and Au-  
gust we lived in a old house in middle the orchards at the same  
address. On September and October I lived with my ex wife and son  
and also we were picking nuts ~~right~~ right here. On November and a  
half of December, we worked picking apples and potatoes with  
the farmer Terry Drapper, in Hood River Oregon. I have two pictures  
which ones prove that I was right here with my brothers and not in  
the place where supposedly I committed the crimes. At this time  
The Innocence Project have these pictures, and also two more, inclu-  
ding receipts and documents from court. Also we were prunning pear and  
picking nuts with the farmer Moitozo Bros, and the contractor Meño  
Garcia. We worked a week to each other. The places were Upper Lake  
(Moitozo) and Lakeport (Meño Garcia). This happen when we came back  
from Hood River, Oregon. 1987. On January, February, March and two weeks  
we were prunning pear again with the contractor Alonso (I forgot his  
last name) in Lakeport, Ca. The Ranch name was Marykas Ranch.  
They came with us at that time a man and his son, which names  
were el Felipon and Fermin. We returned to San Jose and sta-  
tarded to work in maintenance apts, with the owner Madelline  
Frume. The ubication apts were: 1430, 1432, and 1428 Dubert line.  
1640, 1566 and 1470 Crucero dr. 1422, 1425 and 1427 Tamme Lee.  
1360, 1331 and 1330 Carnelian dr. The owner Madelline Frume and  
my ex wife, continuously were in the apartments, so, at any time I wasn't  
along because they were over there, and also my brothers came with me.  
when I lived with my son, I advised him to not use drugs because injure  
the mind and body. I though him to speak and writ in Spanish and  
also I induced him to read histories from books. When he came back  
from school, the first thing that I was doing was to ask him to do  
his home work. I played base ball with him and I was in courage to him  
to practice sports because keep away from drugs and gangs. I al-  
so prepared to him and the rest of family, nutritious and variated  
foods. I made my best effort to support them, but they really never  
appreciated. When I was working out of San Jose, I sent money to them  
and I told to his mother that giving some money. On July and August  
my brothers and I went to pick grapes to Dinuba or Orossi, close  
to Fresno, Ca. I have other picture that shows that I'm going  
walking by a furrow. Also I have other one, when we visited Yosemite  
Park. On September and October we went to pick olives, with the  
contractor Enrique Robles from Pixley, Ca. On November I went to  
Mexico, because my grand father Enrique Chavez died.  
1988, I was planting trees in our Ranch and other property on November  
and December (1987). On January I continue to planting. My brother Ignacio  
Natividad, Miguel Arellano and Manvel Hernandez, they helped me in the  
plantation. On February, March and some days of April I was cutting  
grass and cleaning the ditches for irrigation and other activities.



On April, I came back to San Jose and started to work again in the apartments. My brothers helped me and continuously the owner and Uelia went to check the jobs. On July my brother Enrique and I, we went to Mexico. We took the Southwestern Airlines in San Francisco Ca. We remained over there July, August, September and by middle of October. I bought like one ton and a half of pecans to the Singer furniture owner and also some cloth to Jaime Acuña. Ignacio Villa transported to my house on his Chevrolet truck green color. On August, went to my town, my Grand mother Margarita Tiscareño, her Grand daughter, Margie Gonzalez and her son Frank. Margie is my step daughter and may testify that I was over there that time. On October, my brother, my brother Sergio Natividad, Manuel Hernandez and I, went to Tijuana, trying to cross the border to U.S. We couldn't did, and they returned to my town, the address is: Matamoros #35, Parras, Coahuila, Mexico. I crossed the border to U.S., with an Immigration permission. On November and December, we started to work with Jesse Salas, a tireman, who gave to us a truck to cut trees and to make gardener jobs. my brother Enrique join us later on. We were living by Calaveras Blvd. in Milpitas. 1989. On January and February, I was living with my ex wife and son. On March we went to Modesto, with my other brother Ramon and his family. We remained some months without job, nevertheless, we did some, like mechanical and construction, also, we helped him to paint his house. On September and October we were picking olives, with the contractor, Roberto Gutierrez Cardenas from Lindsay, Ca. We were living in middle the orchards, between Porterville and Terrabella. At that time accompanied us, el Jesse and el Chaparro. We worked together at that time, my brothers Enrique, Manuel, Gerardo and our mother, Margarita Chavez, also the two friends and I. On November, we worked along the freeway 132, pruning apricots trees, close to Modesto. I don't remember the contractor name. The address from Modesto was: 1726 Hillside dr., Modesto, Ca. 95354. On December we started to work in construction, with the contractor Alan From Manteca, Ca. 1990. we continued in construction, with the same contractor. On February, my brother Gerardo and I, we were fixing the fences around the apartments where we lived. We moved from the other address to here, which was: 1301 Richland ave. #78, Modesto, Ca. 95351. On March, we started to work with Kenyon Construction. The boss was Mike Parra. We were working by South and Sacramento downtown and also in Folsom, Ca. The offices and yards were in Stockton and Sacramento, Ca. We worked March, April and May. On June we picked cherries in Escalon, close to Stockton. I can't remember the contractor name. On July, we moved to Coyote, to pick cherries too. I don't know the contractor name, because he was hiding to avoid pay us. channel 36 from San Jose, was there to cover the event. I remember only that the orchards owner name, was Marquese. That time my brother Gerardo came with me. My brother Manuel join us later and Enrique, remained in San Jose. On August, we picked onion and garlic, with the contractor Jose Rodriguez in Gilroy, Ca. On September, we picked Jalapeño and yellow peppers, with the same contractor. We were living in middle the cherries orchards, by Monterey rd. in Coyote. On October and November we were working with Rone Rose, an owner of apartments. We cleaned ditches and did landscape jobs. His address was or is: Rone Rose, 1885 The Alameda, San Jose, Ca. 95126. I lived these months with my ex wife and son. On December, my brother Enrique and I, we went to Mexico. Rone Rose bussed in the typical occupations in our Ranch. On April died our Grand mother Juanita Rivera. The funeral services were in Funerales Vargas. On this month came back to San Jose, my brother Gerardo and I. At that time we were completely without money to continue the trip, and we

had to take the loaded train in Oxnard, until San Jose. On May, my brother Enrique and I, worked in the Italian Garden, a place where they celebrating parties. ~~the~~ Enrique arrived before us. We returned to Modesto with my brother Ramon. At that time we worked with Dennis & Smith Construction, in Livermore. We worked June, July and the last days of August. All the family traveled to Mexico on this month, except my brother Manuel and his wife. We traveled in three trucks with campers. We remained over there, September, October, November and December. 1992. On March, my brother Gerardo and I, come back to Modesto. We took the bus from my town to Cd. Juarez-El Paso, and from there to Los Angeles. At that time, we paid \$30.00 dollars for a raid, from Los Angeles to Modesto. All this month my brothers and I, us to be fixing a yellow van and a green car. We just made an overhaul to the yellow van and to the green car, was only a tune-up. We bought the mechanical parts in Pick n' pull auto parts. We went to Mexico again on the first days of April, and returned on May. On June, July and August, we worked again with Kenyon Const. On October we moved to San Jose, California Criminal law procedure and practice - client interview<sup>10</sup>

§10.2 11. How interview Questions relate to Counsel's case and book.  
 8. What is the defense? If the defendant has an alibi, get the names, addresses, and phone numbers of witnesses. Have an investigator contact them immediately, find out whether the prosecution witnesses are credible and consider requesting discovery about their criminal history and consider having an investigator find out more about them. By the way, I have to report that my ex wife, told to my sister Ana Luisa Natividad, that her daughter Rosy Contreras and a friend who was a police man, that they obstructed and throwed away my appeals to the lawyers. She told to my sister when she visited me at Mule Creek state prison on April, 2001. My sister told me also that Rosy's police friend was the district attorney Javier Alcalá who convicted me. I want to make clear that my ex wife made a conspiracy against me to send me to prison, in a lady. I have to make a report against this system prison in Oklahoma. (Corrections Corporation of America) This prison, continuously are violating our Constitutional rights at same areas or services, as medical, food, security, mail, recreation, education and visit. On medical, I have been a dental check in 2008, and since then, I haven't received any notice yet. On the food, they fail to provide us a wholesome, nutritionally and balanced diet. At this place, we haven't seen any Federal inspectors to check the sanitary conditions. About the security, they're trying to affiliate us as Southern. Far from the truth, we are making all programs as paisas. About mail services, they work too slow, and the money the family sent us, sometime we don't receive it. On recreation, we don't allowed to recreation nor education because the lockdown (we are ready for three months lockdown) and like this manner we don't got any pay. They don't told us exactly the reason why we are lockdown. On visit, my sister in-law and my brother Gerardo Natividad, came to visit on 2009, but this prison don't allowed me to see them. I don't saw them in sixteen years. Also, they continue using one kind of paint, not suppose used in interiors. This kind of paint cause me problems to breathe. Since the lawyer ended with my State appeal, I tried to get help in my case, with same inmates, courts, agencies and counselors, but they weren't interested to help me. I tried to find the adequate steps to have communication to the courts by my self, but obviously I can't do, because I was unsure where I was stepping. Without the support of any person close to me who knows English, I can't did enough. Nevertheless through the years, I got too slow the facts that I stated in my Habeas Corpus, in which I had proved that these persons lied and made a conspiracy against me. Basically by these claims of fairness I appeal to your considerations and so that my case to the United States Constitution, so that my case can be reviewed again.

Respectfully yours,  
 Jose J. Natividad

I want to make clear that when the Innocence Project send me my documents back, then I have to write to the California Supreme Court. Somebody told me about this some time ago (2007) before came from California. He gave me your address, but not the California Supreme Court, therefore, I want to ask you, if I have your favor to send me this address, I will appreciate it. To each I'm writing by hand and trying to remember and locate with accuracy all concerning about my case. I can't give my papers to somebody more to take me copies, because my case is very sensitive. I don't have any money to pay for this, nor to buy stamps, envelopes, pens and paper to write. I want to make clear also, that Margie Natividad (my niece) she was living with my ex wife Velia, with my son, with other daughter from Velia, and with me. So, she can testify that never saw anything wrong in my behavior. Let me tell you that in those years, I was working honestly in a hard work, to support my family in U.S. and Mexico (I get my legal resident with the 1986 Amnesty, and my Social Security number is: 611-16 4116) and that I never get any help from the Government. I'm not even was a risk to my family, nor with the Society, and also I never had a previous and serious criminal record with the Police, nor of child molester. I have to tell you also, that we aren't allow to make a phone call, not even the haircut. I forgot tell you that other reason, so that I was late to send my Habeas Corpus, is because I had a surgery in my nose on 2007, which one don't allow me to breathe normally. At present time, neither allow me very well to concentrate me and to write. At that time the officers putted me the handcuffs and chains on my body, but I don't was totally recovered from anesthesia, any way they took me from the recovered bed and introduced me in the patrol. At those moments I watched an hemorrhage on my nose, nevertheless they saw the bleeding on my nose, but any way they don't took care of me. At that time the Doctors told me that I will need another operation, but until now, I still waiting. I have almost sixteen years, making or doing a good program and trying to learn English in the school. Right now I'm in the school because the lockdown.

Note: The Problem in my nose started since 2000 or 2001.



CCA North Fork  
is not responsible  
for the substance or  
content. Objectionable  
material may be returned  
to the facility head."

CONFIDENTIAL LEGAL MAIL

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1. The first step is to identify the problem or question that needs to be addressed. This involves understanding the context and the specific requirements of the task.

2. Next, it is important to gather relevant information and data. This can be done through research, consultation with experts, or by analyzing existing resources.

3. Once the information is gathered, the next step is to develop a plan or strategy. This involves breaking down the problem into smaller, manageable parts and determining the best approach to solve each part.

4. After the plan is developed, the next step is to implement the solution. This involves putting the plan into action and monitoring the progress to ensure that the solution is effective.

5. Finally, it is important to evaluate the results of the solution. This involves comparing the actual outcomes with the expected results and identifying any areas for improvement.

US DISTRICT COURT  
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SAN JOSE, CA 95126

OKLAHOMA CITY OK 731  
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